

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

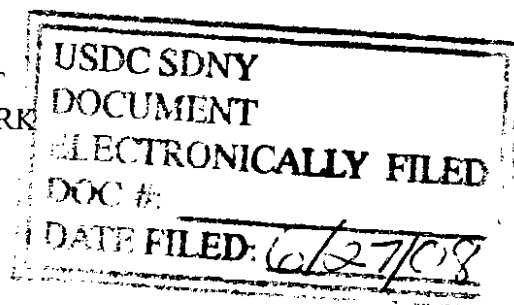
AXA EQUITABLE LIFE INSURANCE
COMPANY, AXA NETWORK, LLC &
AXA NETWORK OF TEXAS, INC.,

Plaintiffs,

v.

RICHARD EHRLICH

Defendant.



Case No. 1:08-CV-01972-MGC

MEMO ENDORSED

**DEFENDANT RICHARD EHRLICH'S NOTICE OF MOTION TO DISMISS OR,
IN THE ALTERNATIVE, TO STAY LITIGATION**

PLEASE TAKE NOTICE that on June 26, 2008 at 9:30 a.m., or as soon thereafter as counsel may be heard, defendant Richard Ehrlich, by counsel and pursuant to Federal Rule of Civil Procedure 12(b)(1) or 12(b)(6), will move this Court for an order dismissing this matter without prejudice or, in the alternative, staying this litigation. A Memorandum in Support of this Motion to Dismiss or, in the Alternative, to Stay Litigation is attached hereto.

Dated: March 28, 2008

Respectfully submitted,

/s/

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*Motion to dismiss denied,
Motion to stay granted
until October 2, 2008. For
oral opinion, see record of
proceedings.*

So ordered. j/

June 26, 2008 United States District Judge